

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 15, 2006

DIVISION TWO

B184691 W.G. Wells, et al. (Not for Publication)
 v.
 Ciotti

Attorney William G. Wells shall, within 10 days, deliver a cashier's check in the amount of \$5,000, payable to the Clerk of the Court of Appeal. This order is immediately final. The clerk of the court is directed to mail a copy of this opinion to the State Bar of California, to the attention of the Chief Trial Counsel.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

B187600 Swiss Reinsurance America Co., et al. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (John Garamendi, Insurance Commissioner of the State of California, r.p.i.)

The petition is denied. The order to show cause is discharged. The stay is dissolved. Real party in interest is to recover his costs.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B184522 Dureza-Muneses (Not for Publication)

v.

Tenet Healthsystems Desert, Inc.

The judgment is affirmed. Tenet shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Doi Todd, J.

B185953 Mediafiction S.p.A. et al. (Not for Publication)

v.

Miramax Film Corporation

The order is affirmed. Miramax shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Chavez, J.

B190252 In re A.P.

v.

DCFS

D.P.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO (Continued)

B188988 Kahn
 v.
 Anhausner, Inc. et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed January 31, 2006) dismissed.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B186599 People v. William Parker
B191063 People v. Richard Wallaker
B187954 People v. Charles Pack
B189950 People v. Sylvester David Bacon
B190088 DCFS v. Eric D.
B187554 People v. Leonardo Bayacal
B186945 County of Los Angeles v. Lexington National Ins. Co.
B193795 Mark S. v. S.C.L.A. (DCFS)
B191374 DCFS v. Ernestina W.

Argument waived, cause submitted.

B186502 Arturo Rico
 v.
 City of Los Angeles et al

Appearances:

Kjehl Johansen, Deputy City Attorney for respondent and no appearance by appellant. Argument waived, cause submitted.

DIVISION THREE (Continued)

B182567 People
 v.
 Gustavo Orozco

Merits:

Argued by Steven Levine for appellant and by Susan Lee Frierson, Deputy Attorney General for respondent. Cause submitted.

B189149 Latasha Tibbs
 v.
 Automobile Club of Southern California

Merits:

Argued by Steven Dawson for appellants and by Lee K. Franck for respondent. Cause submitted.

B188447 Icola Ellis
 v.
 Latinowide Auto Insurance et al

Merits:

Argued by Robert Cooper for appellants and by Steven S. Fleischman for appellants. Cause submitted.

B185400 Jennifer-Joy Bronk
 v.
 Vistaprint, USA

Merits:

Argued by C. Benjamin Nutley for appellant and by Eric A. Schreiber and Richard Johnston for respondents. Cause submitted.

Court adjourned.

DIVISION FOUR

B18487 Dale Ray Hurd (Certified for Publication)

v.

Superior Court, Los Angeles County

(City of Los Angeles Police Department, r.p.i.)

The petition for writ of mandate is denied.

Willhite, J.

We concur: Epstein, P.J.

Manella, J.

B183720 People

v.

Holdaway

Filed order recalling remittitur issued October 25, 2006 and vacating opinion filed August 22, 2006. Clerk is directed to refile opinion upon filing of this order.

B183720 People (Not for Publication)

v.

Holdaway

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.

Suzukawa, J.

November 15, 2006 (Continued)

DIVISION FOUR (Continued)

B187368 People (Not for Publication)

V.

Walker

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.

Manella, J.

B193482 Monte M. (Not for Publication)

V.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition for writ of mandate is denied.

Epstein, P.J.

We concur: Willhite, J.

Manella, J.

B188151 Barboza et al. (Not for Publication)

V.

West Coast Digital GSM, Inc.

The order denying class certification is reversed and the matter is remanded to the trial court with directions. Plaintiffs shall recover their costs on appeal.

Willhite, J.

We concur: Epstein, P.J.

Manella, J.

DIVISION FOUR (Continued)

B187774 Jamieson-Smith (Not for Publication)

v.
Nash

The judgment is affirmed. Respondent(s) to recover costs.

Suzukawa, J.

We concur: Epstein, P.J.
 Manella, J.

B193036 Los Angeles County, D.C.S. (Not for Publication)

v.
Lynette J.

The order terminating parental rights is affirmed.

Epstein, P.J.

We concur: Willhite, J.
 Manella, J.

B184545 Nijjar (Not for Publication)

v.
Mittal

We reverse the judgment (interlocutory decree for specific performance) and enter judgment for defendant Ram Mittal. We remand with directions to award Mittal his costs, including reasonable attorney fees as the prevailing party under the agreement, both below and on appeal.

Suzukawa, J.

We concur: Willhite, Acting P.J.
 Manella, J.

November 15, 2006 (Continued)

DIVISION FIVE

[illegible]

The cause is remanded to the juvenile court with directions to correct the record of Eduardo's sustained offenses by replacing all references to misdemeanor battery in violation of Penal Code section 242 with misdemeanor trespass in violation of former Penal Code section 602, subdivision (J) (now subdivision (k)). In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B190096 Los Angeles County, D.C.S. (Not for Publication)
v.
Anthony J.
In re Maya J. et al

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

B187619 San Luis Obispo County (Not for Publication)
Department of Social Services
v.
Erika N.
In re Mateo C.

The judgment (order awarding father sole physical and legal custody and order for professional supervised visitation) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B186332 People (Not for Publication)
v.
Coffman

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B186193 People (Not for Publication)
v.
Revis

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.